IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1400 OF 2004

Rakeshkumar Ramcharan Maurya ...Applicant

Versus

The State of Maharashtra ...Respondent

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Ms.Anjali Iyer for Applicant.

Mr.D.R.More, A.P.P. for Respondent.

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CORAM: A.M.KHANWILKAR, J.

OCTOBER 5, 2004.

P.C.

1. Heard Counsel for the parties. Perused the record.

2. I see no reason to depart from the view taken by the Sessions Court in rejecting the Bail Application preferred by the Applicant. One of the reason recorded by the Court below is that if the Applicant is released on bail, he is likely to flee from the ends of justice, as he has no permanent

place of abode. In that context, the Applicant asserted that the Applicant will stay with his cousin brother Shri Mayaram son of Ramdhani Maurya and address was also furnished on affidavit. The Assistant Sub-Inspector of the concerned Police Station made enquiries about the information furnished by the Applicant on affidavit. On enquiry, it transpired that the person named by the Applicant was not residing on the given address, but the same was a business premises, wherein, one Waseem Raj Khahadur Khan was running his catering business and he has stated that he does not know said Mayaram Ramdhani Maurya, nor any one was employed by that name with him. In the circumstances, this Application is dismissed.

3. Learned Counsel for the Applicant at the end, requested that the Applicant be permitted to withdraw this Application. I see no reason to show that indulgence, as the matter has been heard on merits.

A.M.KHANWILKAR, J.